REMARKS

This Amendment is responsive to the Office Action mailed October 19, 2007, and cancels the withdrawn claims and the claims of non-elected species 2 and 3.

In the Office Action, claims 1-16 and 82-90 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nguyen ("Nguyen") in view of ("Takeshima") and in view of Tanaka ("Tanaka"). Reconsideration and withdrawal of these rejections are hereby respectfully requested.

Nguyen is relied upon for its teaching of a gaming system including a plurality of gaming machines and of a gaming software authorization agent that tracks software distributions. However, the claimed embodiments do not include any such "gaming software authorization agent" or any like construct. On page 3 of the outstanding Office Action, it is acknowledged that Nguyen does not teach much of the subject matter of the claims.

Takeshima is relied upon, in combination with Nguyen, for its alleged teaching of the claimed (see claim 1):

> **each different executable software component within each gaming machine within the gaming system subject to receive certification is uniquely associated with a unique identifier and is signed with a separate and unique PKI certificate, the separate and unique PKI certificate being uniquely identified at least by the unique identifier**

At the outset, it should be noted that the claim requires that each <u>executable</u> software component subject to receive certification is associated with a unique identifier and signed with a separate and unique PKI certificate. The Office has identified Takeshima's Col. 6, lines 17-31 and Fig. 9 as teaching (and/or suggesting) this limitation. Col. 6, lines 17-31, is reproduced herein below, together with Fig. 9:

The signed content **31** illustrated in FIG. **9** comprises original content **311** which may be text, a moving picture, a computer-executable program, or the like and a signature **312** part which is used for verifying the validity of the original content **311**. The signature **312** part comprises signature information **3121**, a signature value **3122** obtained from encrypting the signature information **3121** with a private key, and a public key certificate **3123** including a public key required for decrypting the signature value **3122**. The signature information **3121** comprises a signature method **3124** which indicates a hash function algorithm or the like, a content ID **3125** which is an ID uniquely assigned to the content by the present system, and a characteristic value (digest value) of the content **3126** calculated by making the hash function act on the content data.

FIG. 9

This passage and this figure only state that Takeshima's content 311 is signed with a digital certificate. Indeed, Takeshima teach that content is signed by a content registration server 50, and the signing is checked by a content verification server 60 and a signature verification server 40 before being sent to the requesting client 10 (see, e.g., Col. 5, line 39 to Col. 6, line 16). Takeshima, whether considered alone or in combination with the gaming system of Nguyen, does not teach or suggest the subject matter of claim 1:

wherein each different executable software component within each gaming machine within the gaming system subject to receive certification is uniquely associated with a unique identifier and is signed with a separate and unique PKI certificate, the separate and unique PKI certificate being uniquely identified at least by the unique identifier, wherein identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are associated with separate and different identifiers and are signed with separate and different PKI certificates, and such that no two non-identical executable software components in different gaming machines are signed with a same PKI certificate.

or that of claim 82:

code-signing means for enabling the manufacturer or subcontractor to associate a separate and unique PKI certificate with each authorized software component subject to regulatory certification such that identical authorized software components subject to regulatory certification in different ones of the plurality of gaming machines of the network connected gaming system are code signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are code signed with separate and different PKI certificates, and such that no two non-identical executable software components in different gaming machines are code signed with a same PKI certificate.

The passage cited by the Examiner simply does not teach or suggest, for example, that "identical authorized software components subject to regulatory certification in different ones of the plurality of gaming machines of the network connected gaming system are code signed with identical PKI certificates," or "that non-identical executable software components in different ones of the plurality of gaming machines are code signed with separate and different PKI certificates," as claimed herein. Col. 6, lines 17-31 only teach the use of certificates having a private and public key pair, as is well known in the art. In Takeshima, content is associated with a unique ID and signed with a digital certificate that is verified before the content is sent to the requesting client. However, nowhere does Takeshima teach that executable software components that are subject to receive certification are associated with a unique identifier and are signed with a separate and

unique PKI certificate, wherein the separate and unique PKI certificate being uniquely identified at least by the unique identifier. Indeed, the Examiner has not pointed to any teaching or suggestion in the applied combination that teaches or suggests that <u>the claimed separate and unique PKI certificate is uniquely identified (at least) by the unique identifier</u>. For example, in Takeshima, the content ID 3125 is nowhere taught or suggested to uniquely identify either certificate 42 or certificate 3123. Also, nowhere in Takeshima, whether considered alone or in combination, is it taught or suggested that "identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates," as claimed herein. For such a teaching, acknowledged to be missing from the Nguyen–Takeshima combination, the Office relied upon Tanaka.

In particular, on page 4, the Office stated that this subject matter was taught at Figs. 5, 22 and 26 and at paragraph [0177]. Fig. 5 shows the structure of Takana's encrypted content, Fig. 22 shows different license categories (Category 1: Jazz music; Category 2: Rock music). Fig. 22 shows that users 1 and 2 each have a license to Jazz-type music content, and that other users have a license to Rock-type music content. Lastly, Fig. 26 shows the structure of licensed encrypted content. Column [0095] states that users must be in possession of a license corresponding to the content type, as shown at Fig. 6. That is, Jazz lovers would first acquire a license (category 1) in order to listen to Jazz music and Rock music aficionados would acquire a license (category 2) in order to listen to Rock music. Distributing Jazz licenses to Jazz music lovers and Rock licenses to Rock music lovers does not teach or suggest, whether alone or in combination with the other applied references, any manner of:

wherein each different executable software component within each gaming machine within the gaming system subject to receive certification is uniquely associated with a unique identifier and is signed with a separate and unique PKI certificate, the separate and unique PKI certificate being uniquely identified at least by the unique identifier, wherein identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are associated with separate and different identifiers and are signed with separate and different PKI certificates, and such that no two non-identical executable software components in different gaming machines are signed with a same PKI certificate.

as claim in claim 1 or

code-signing means for enabling the manufacturer or subcontractor to associate a separate and unique PKI certificate with each authorized software component subject to regulatory certification such that identical authorized software components subject to regulatory certification in different ones of the plurality of gaming machines of the network connected gaming system are code signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are code signed with separate and different PKI certificates, and such that no two non-identical executable software components in different gaming machines are code signed with a same PKI certificate.

as claimed in claim 82. Paragraph [0177] also does not provide the teachings and/or suggestions

that are missing from the other references relied upon:

[0177] In the example of **FIG. 22**, a license category **1** is shown covering the genre of jazz and a license category **2** the genre of rock and roll. The license category **1** is matched with contents **1** and **2** which have a license ID of 1 each and which are distributed to users **1**, **2** and **3**. The license category **2** comprises contents **3**, **4** and **5** which having a license ID of 2 each and which are provided to the users **1** and **3**.
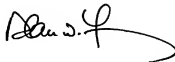
This passage merely states that category 1 licenses are for Jazz, category 2 licenses are for

Rock and that contents 1 and 2 are Jazz (and, therefore, matched with license category 1) and

distributed to users 1, 2 and 3 and that contents 2, 4 and 5 are Rock (and, therefore, matched with

license category 2) and are distributed to users 1 and 3. The Office is not at liberty to interpret the

applied references in an overly broad manner such that they are represented as teaching or

suggesting subject matter that is clearly not there, for the purpose to fitting the applied combination to the pending claims. The claimed embodiments, for example, do not recite any manner of categories for classifying executable software components or for distributing categories of executable software components to gaming machines, as taught by Takana To the contrary, the claims require that each different executable software component within each gaming machine within the gaming system subject to receive certification is uniquely associated with a unique identifier and is signed with a separate and unique PKI certificate, the separate and unique PKI certificate being uniquely identified at least by the unique identifier, wherein identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates, and such subject matter is not taught or suggested by the applied combination of references.

Therefore, it is hereby respectfully submitted that the applied combination fails to teach or to suggest the claimed subject matter of the embodiments of claims 1 and 82, or that of their respective dependent claims. Reconsideration and withdrawal of the 35 U.S.C. §103(a) rejections are, therefore, hereby respectfully requested.

Applicants' attorney believes that the present application is now in condition for an early allowance and passage to issue. If any unresolved issues remain, the Examiner is respectfully invited to contact the undersigned attorney of record at the telephone number indicated below, and whatever is required will be done at once.

Respectfully submitted,

Date:_____January 22, 2008_____   By:_____

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